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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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JOHN FOX 3902 Q STREET OMAHA, NE 68107			HALL, ARTHUR O	
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

	Application No.	Applicant(s)
	10/709,195	FOX, JOHN
Examiner	Art Unit	
Arthur O. Hall	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) Responsive to communication(s) filed on 4/22/2004.
2a) This action is FINAL. 2b) This action is non-final.
3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) Claim(s) 1-11 is/are pending in the application.
4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) Claim(s) _____ is/are allowed.
6) Claim(s) 1-11 is/are rejected.
7) Claim(s) _____ is/are objected to.
8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) The specification is objected to by the Examiner.
10) The drawing(s) filed on 20 April 2004 is/are: a) accepted or b) objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
a) All b) Some * c) None of:
1. Certified copies of the priority documents have been received.
2. Certified copies of the priority documents have been received in Application No. _____.
3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) Notice of References Cited (PTO-892)
2) Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date 4/20/2004; 4/22/2004.

4) Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5) Notice of Informal Patent Application
6) Other: _____

DETAILED ACTION

Information Disclosure Statement

The information disclosure statement (IDS) submitted on 4/20/2004 and 4/22/2004 have been acknowledged by the examiner.

Oath/Declaration

It was not executed in accordance with either 37 CFR 1.66 or 1.68.

Examiner finds that the oath and declaration is not properly executed with a proper electronic signature. Examiner suggests that applicant review the MPEP Part I – Rules of Practice in Patent Cases and place the oath and declaration into compliance with 37 CFR 1.4(d)(3).

Drawings

New corrected drawings in compliance with 37 CFR 1.121(d) are required in this application because the drawings are not properly formatted to fit properly on each page, a substantial amount of the drawing text is off the page rendering the drawings substantially illegible and Fig. 5 is not clear as to whether a pay table or award card is being represented. Applicant is advised to employ the services of a competent patent draftsperson outside the Office, as the U.S. Patent and Trademark Office no longer prepares new drawings. The corrected drawings are required in reply to the Office action to avoid abandonment of the application. The requirement for corrected drawings will not be held in abeyance.

The drawings are objected to because there are no reference characters shown for all features of the claimed invention. Examiner suggests that applicant show reference characters in the drawing figures for each feature of the claimed invention. Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

In addition to Replacement Sheets containing the corrected drawing figure(s), applicant is required to submit a marked-up copy of each Replacement Sheet including annotations indicating the changes made to the previous version. The marked-up copy must be clearly labeled as "Annotated Sheets" and must be presented in the amendment or remarks section that explains the change(s) to the drawings. See 37

CFR 1.121(d)(1). Failure to timely submit the proposed drawing and marked-up copy will result in the abandonment of the application.

Specification

The disclosure is objected to because of the following informalities: there are no reference characters shown for any features of the claimed invention and there are also no page numbers written on any pages of the specification. Examiner suggests that applicant cite reference characters for each feature of the claimed invention in the text of the specification relative to the figures in which the reference characters would describe the features of the claimed invention. Examiner further suggests that applicant add page numbers to all pages of the specification, whereby the contents of the specification are described below. Examiner reminds applicant that no new matter may be added to the specification.

Appropriate correction is required.

The following guidelines illustrate the preferred layout for the specification of a utility application. These guidelines are suggested for the applicant's use.

Arrangement of the Specification

As provided in 37 CFR 1.77(b), the specification of a utility application should include the following sections in order. Each of the lettered items should appear in upper case, without underlining or bold type, as a section heading. If no text follows the section heading, the phrase "Not Applicable" should follow the section heading:

- (a) TITLE OF THE INVENTION.
- (b) CROSS-REFERENCE TO RELATED APPLICATIONS.
- (c) STATEMENT REGARDING FEDERALLY SPONSORED RESEARCH OR DEVELOPMENT.
- (d) THE NAMES OF THE PARTIES TO A JOINT RESEARCH AGREEMENT.
- (e) INCORPORATION-BY-REFERENCE OF MATERIAL SUBMITTED ON A COMPACT DISC.

(f) BACKGROUND OF THE INVENTION.

- (1) Field of the Invention.
- (2) Description of Related Art including information disclosed under 37 CFR 1.97 and 1.98.

(g) BRIEF SUMMARY OF THE INVENTION.

(h) BRIEF DESCRIPTION OF THE SEVERAL VIEWS OF THE DRAWING(S).

(i) DETAILED DESCRIPTION OF THE INVENTION.

(j) CLAIM OR CLAIMS (commencing on a separate sheet).

(k) ABSTRACT OF THE DISCLOSURE (commencing on a separate sheet).

(l) SEQUENCE LISTING (See MPEP § 2424 and 37 CFR 1.821-1.825. A "Sequence Listing" is required on paper if the application discloses a nucleotide or amino acid sequence as defined in 37 CFR 1.821(a) and if the required "Sequence Listing" is not submitted as an electronic document on compact disc).

Content of Specification

- (a) **Title of the Invention:** See 37 CFR 1.72(a) and MPEP § 606. The title of the invention should be placed at the top of the first page of the specification unless the title is provided in an application data sheet. The title of the invention should be brief but technically accurate and descriptive, preferably from two to seven words may not contain more than 500 characters.
- (b) **Cross-References to Related Applications:** See 37 CFR 1.78 and MPEP § 201.11.
- (c) **Statement Regarding Federally Sponsored Research and Development:** See MPEP § 310.
- (d) **The Names Of The Parties To A Joint Research Agreement:** See 37 CFR 1.71(g).
- (e) **Incorporation-By-Reference Of Material Submitted On a Compact Disc:** The specification is required to include an incorporation-by-reference of electronic documents that are to become part of the permanent United States Patent and Trademark Office records in the file of a patent application. See 37 CFR 1.52(e) and MPEP § 608.05. Computer program listings (37 CFR 1.96(c)), "Sequence Listings" (37 CFR 1.821(c)), and tables having more than 50 pages of text were permitted as electronic documents on compact discs beginning on September 8, 2000.

(f) Background of the Invention: See MPEP § 608.01(c). The specification should set forth the Background of the Invention in two parts:

- (1) Field of the Invention: A statement of the field of art to which the invention pertains. This statement may include a paraphrasing of the applicable U.S. patent classification definitions of the subject matter of the claimed invention. This item may also be titled "Technical Field."
- (2) Description of the Related Art including information disclosed under 37 CFR 1.97 and 37 CFR 1.98: A description of the related art known to the applicant and including, if applicable, references to specific related art and problems involved in the prior art which are solved by the applicant's invention. This item may also be titled "Background Art."

(g) Brief Summary of the Invention: See MPEP § 608.01(d). A brief summary or general statement of the invention as set forth in 37 CFR 1.73. The summary is separate and distinct from the abstract and is directed toward the invention rather than the disclosure as a whole. The summary may point out the advantages of the invention or how it solves problems previously existent in the prior art (and preferably indicated in the Background of the Invention). In chemical cases it should point out in general terms the utility of the invention. If possible, the nature and gist of the invention or the inventive concept should be set forth. Objects of the invention should be treated briefly and only to the extent that they contribute to an understanding of the invention.

(h) Brief Description of the Several Views of the Drawing(s): See MPEP § 608.01(f). A reference to and brief description of the drawing(s) as set forth in 37 CFR 1.74.

(i) Detailed Description of the Invention: See MPEP § 608.01(g). A description of the preferred embodiment(s) of the invention as required in 37 CFR 1.71. The description should be as short and specific as is necessary to describe the invention adequately and accurately. Where elements or groups of elements, compounds, and processes, which are conventional and generally widely known in the field of the invention described and their exact nature or type is not necessary for an understanding and use of the invention by a person skilled in the art, they should not be described in detail. However, where particularly complicated subject matter is involved or where the elements, compounds, or processes may not be commonly or widely known in the

field, the specification should refer to another patent or readily available publication which adequately describes the subject matter.

- (j) Claim or Claims: See 37 CFR 1.75 and MPEP § 608.01(m). The claim or claims must commence on separate sheet or electronic page (37 CFR 1.52(b)(3)). Where a claim sets forth a plurality of elements or steps, each element or step of the claim should be separated by a line indentation. There may be plural indentations to further segregate subcombinations or related steps. See 37 CFR 1.75 and MPEP § 608.01(i)-(p).
- (k) Abstract of the Disclosure: See MPEP § 608.01(f). A brief narrative of the disclosure as a whole in a single paragraph of 150 words or less commencing on a separate sheet following the claims. In an international application which has entered the national stage (37 CFR 1.491(b)), the applicant need not submit an abstract commencing on a separate sheet if an abstract was published with the international application under PCT Article 21. The abstract that appears on the cover page of the pamphlet published by the International Bureau (IB) of the World Intellectual Property Organization (WIPO) is the abstract that will be used by the USPTO. See MPEP § 1893.03(e).
- (l) Sequence Listing, See 37 CFR 1.821-1.825 and MPEP §§ 2421-2431. The requirement for a sequence listing applies to all sequences disclosed in a given application, whether the sequences are claimed or not. See MPEP § 2421.02.

Examiner finds that the specification is not arranged substantially in the proper format for examination as described above. Examiner also finds that the content of the specification with respect to the cited references is not clear or improper since Examiner cannot discern whether the documents are incorporated by reference or are merely art cited in the specification and/or admitted prior art. Examiner suggests that applicant clearly cite the documents in the text of the specification where the documents are most relevant. If the intended purpose of the documents is to incorporate them by reference, then Examiner suggests that applicant further clearly cite the documents as

incorporated by reference in accordance with 37 CFR 1.57. The specification is replete with the above errors and other similar errors. Appropriate correction is required.

Claim Objections

Claims 1-2, 6 and 8 are objected to because of the following informalities:

Claim 1 recites "a matrix of five rows and five columns defining twenty five grid squares adapted for playing the game of bingo; a matrix consisting of a grid known as a bingo card;" however, Examiner finds that the recitation is in improper grammatical form because the ";" should be a "," and the second "a matrix" should be "the matrix."

Claim 2 recites "said total (bonus multiplier total); " however, Examiner finds and suggests that applicant choose either said total or said bonus multiplier total to avoid lack of clarity and redundancy in the claim. Examiner further finds and suggests that applicant's recitation of "row-and-column (RXC)" be recited either as row-and-column or RXC to avoid lack of clarity and redundancy in the claim. Examiner even further finds that the recitation of "the awarding credits if a winning outcome is attained" is grammatically incorrect with respect to its use in the "wherein" clause and suggests that applicant recite the term as "credits are awarded if a winning outcome is attained" or in some other more clear recitation to properly disclose the meaning of the claimed invention. Examiner also finds that the recitation of "position or spot" is redundant and suggests that applicant choose either "position" or "spot" to avoid lack of clarity in the claim. Examiner also suggests that applicant do not use "" or quotes surrounding claim terms to avoid lack of clarity in the claim since the use of quotes is generally understood that the term is to be replaced by another term.

Claim 6 recites the term "but;" however, Examiner finds that the use of this term is improper to convey the meaning of the claimed invention and suggests that applicant recite the claim to convey the meaning of the claim invention without the term to avoid lack of clarity in the claim.

Claims 8 and 11 recite a method step having two features A and B; however, Examiner suggests that applicant use a "wherein" clause immediately before features A and B so as to place the claim in proper grammatical form and to properly connect the two features A and B grammatically with the preceding body of the claim. Examiner further suggests that applicant recite a conjunctive term "and" between the two features A and B to place the claim in proper grammatical form.

The claims are replete with the above described informalities. Examiner suggests that applicant review all claims and correct any such or other related informalities. Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claims 1, 5 and 10-11 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites the limitation "leading to a bonus multiplier event" in about line 13. However, Examiner finds that the limitation is unclear as recited in that the term

"leading to" does not clearly convey the meaning of how the bonus multiplier event occurs. There is insufficient antecedent basis for this limitation in the claim.

Claim 5 recites the limitation "The method of claim 1" in about line 9. However, claim 1 is an apparatus claim, not a method claim. Thus, the limitation is unclear. Examiner interprets the claim limitation as "The method of claim 2" for the purpose of examination since the substantive nature of the claim is a method step. Examiner further finds that the term "5 times 5" is unclear and suggests that applicant recite the term "5 by 5" to clearly define that the matrix has five rows and five columns. There is insufficient antecedent basis for this limitation in the claim.

Claim 10 recites the limitation "The device of claim 2" in about line 3. However, claim 2 is a method claim, not an apparatus claim. Thus, the limitation is unclear. Examiner interprets the claim limitation as "The method of claim 2" for the purpose of examination since the limitation "second indicia" is recited in claim 2, not the device or apparatus of claim 1. There is insufficient antecedent basis for this limitation in the claim.

Claim 11 does not recite the limitations of the claim in independent nor in dependent form rendering the claim indefinite. Thus, the limitations of claim 11 are unclear. However, Examiner interprets the claim limitation as being in dependent form and further interprets the claim to recite "The method of claim 2, further including assigning a multiplier value..." for the purpose of examination since the limitation "assigning a multiplier value" is a method step as opposed to a structural apparatus feature. Examiner suggests that applicant define the statutory category of invention of

claim 11 by reciting the claim in dependent or independent form, whichever applicant originally intended. There is insufficient antecedent basis for this limitation in the claim.

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claim 1 is rejected under 35 U.S.C. 102(e) as being anticipated by Weiss (US Patent 6,609,973).

Regarding claim 1, Weiss teaches

a game card for playing a game of chance (Fig. 3, Weiss; a bingo game card is shown), the game card comprises:

a matrix of five rows and five columns defining twenty five grid squares adapted for playing the game of bingo; a matrix consisting of a grid known as a bingo card (column 3, lines 16-25 and Fig. 3, 20 and 21, Weiss; a 5 row by 5 column matrix inherently has 25 grid squares as shown and is a bingo card that is used for the purpose of playing bingo).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

Claims 1-11 are rejected under 35 U.S.C. 103(a) as being unpatentable over Weiss in view of Mead (US Patent Application Publication 2005/0049036), and even further in view of Odom (US Patent 6,581,935). Figures are described with reference characters where necessary for clarity.

At the outset, Examiner interprets applicants claim 2 to merely perform multiplication and summation operations on position values that are matched since the claim language only multiplies and totals matching position values.

Regarding claim 2, Weiss teaches

a method for gaming (column 3, lines 16-25, Weiss; the process of playing a game of bingo is performed on a bingo card), the steps comprise:

receiving a wager to enable the gaming device (column 2, lines 62-64, Weiss), enabling a primary display (column 2, lines 55-59, Weiss), displaying randomly selected first indicia within a row-and-column (RXC) matrix (column 3, lines 33-35 and Fig. 3, 20, Weiss; random-numbered positions are displayed),

displaying randomly generated second indicia to be compared to said first indicia (column 3, lines 37-44 and Fig. 3, 22, Weiss; random-generated numbers or balls are displayed), and

leading to a bonus multiplier event (column 3, lines 48-53, Weiss; a bonus event is triggered in which a bonus amount will be multiplied),

wherein when said randomly generated second indicia match any of the first indicia in any positions on said (RXC) matrix, the matching position values are multiplied and totaled, resulting in a bonus multiplier total (column 3, lines 44-47 and lines 59-65, Weiss; if the random-generated numbers or balls match the random-numbered positions, the randomly-generated bonus amount of the matched positions are totaled and multiplied).

However, Weiss does not substantially teach pre-assigned multiplier values at each position as claimed. Therefore, attention is directed to Mead, which teaches that the pre-assignment of multiplier values to each position or "spot" within the row-and-column (RXC) matrix (paragraph 0066, Mead; a multiplier or modifier is assigned for each location on the grid).

Mead suggests that a device that enables a player to choose different risk based on various alternatives and weigh their options and choose their consequences in selecting their options as well as explore the consequences of selecting their options

will provide more excitement and enjoyment to the player in the game (paragraph 0006, Mead).

Thus, it would have been obvious to one having ordinary skill in the art at the time the applicant's invention was made to modify Weiss in view of the teachings of Mead for the purpose of providing the gaming device of Weiss having two sets of randomly generated number features being matched that are interchangeable with or upgradeable to the pre-defined or pre-assigned multiplier or modifier feature of Mead in order to create excitement and enthusiasm for the player by enabling the player to choose values based on their risk that lead to different consequences in the game that result from assessment of multipliers.

However, Weiss alone or in combination with Mead does not substantially teach pre-assigned multiplier values at each position as claimed. Therefore, attention is directed to Odom, which teaches that the bonus multiplier total is applied in a second comparison to a predefined corresponding pay table or award card of winning bonus multiplier total amounts, and the awarding credits if a winning outcome is attained (column 4, lines 24-41, Odom; upon comparison of a set of indicia with a pattern of another set of indicia, which is a different comparison or matching from the matching disclosed in Weiss, the outcome based on the predetermined pay table produces an award or credit for the player).

Odom suggests that a device that provides the player with a way to wager an amount based on predetermined amounts in the game for plural chances of winning will make it feasible for a single player to play a bingo game with large and progressive jackpot awards (column 1, lines 30-42 and lines 57-60, Odom).

Thus, it would have been obvious to one having ordinary skill in the art at the time the applicant's invention was made to modify Weiss in view of the teachings of Mead, and further in view of the teachings of Odom for the purpose of exchanging the interchangeable or upgradeable plural, matched randomly generated number sets and predetermined multiplier or modifier features of Weiss alone or in combination with Mead with the award feature based on a predetermined paytable disclosed by Odom in order to make it feasible for a single player to play a progressive bingo game based on amounts wagered.

Regarding claims 3, 5 and 9-10, Weiss teaches

Regarding claim 3, bonus multiplier values are assigned to each spot within the row-and-column (RXC) matrix (column 3, lines 46-47, Weiss).

Regarding claim 5, the randomly numbered grid is configured as a 5 times 5 matrix (column 3, lines 16-25, Weiss).

Regarding claim 9, credits are awarded by a plurality of levels of progressive awards, wherein each award level is dependent on the success of a plurality of players

simultaneously (column 4, lines 4-12, Weiss).

Regarding claim 10, the second indicia are embodied as bingo balls (column 3, lines 37-44, Weiss).

The claimed features of claims 8 and 11 do not appear to be disclosed in Weiss; therefore, attention is directed to Mead, which teaches

Regarding claim 8, the center position of the matrix is pre-assigned a random multiplier bonus adjustment value to be used in said awarding of credits (paragraph 0066, Mead), wherein

- A. The multiplier value remains fixed (paragraph 0066 and Fig. 3A, 138, Mead; the multiplier or modifier or ranking is a fixed value); and
- B. The multiplier value changes through an external stimuli (paragraph 0063-0064 and Fig. 3A, 138, Mead; the multiplier or modifier or ranking changes based on probability).

Regarding claim 8, a multiplier value is assigned to each individual column starting with the "B" row and ending with the "O" row, where each lettered grid square may contain a selected multiplier that would result in a winning (paragraph 0066, Mead; a multiplier value is assigned to each position of the matrix and it would have been obvious at the time of invention to try an implementation using a bingo card row and column grid since Weiss discloses the bingo matrix having a grid), wherein

- A. The multiplier value remains fixed (paragraph 0066 and Fig. 3A, 138, Mead; the multiplier or modifier or ranking is a fixed value); and

B. The multiplier value changes through an external stimuli (paragraph 0063-0064 and Fig. 3A, 138, Mead; the multiplier or modifier or ranking changes based on probability).

The claimed features of claims 4-7 do not appear to be disclosed in Weiss alone or in combination with Mead; therefore, attention is directed to Odom, which teaches

Regarding claim 4, bonus multiplier totals are correlated to a pre-assigned award to be used in said awarding of credits (column 4, lines 24-41, Odom; the outcome is associated with a predetermined or pre-assigned award based on a pay table and it would have been obvious at the time of invention to try an implementation in which the outcome is a bonus multiplier total since the bonus multiplier total is disclosed in Weiss so as to apply in a different comparison or matching).

Regarding claim 6, the center position of said matrix is not assigned as a random number, but always considering it to be a matching position (column 3, lines 49-51, Odom).

Regarding claim 7, the center position of said matrix is assigned a numbered position (column 3, lines 39-43, Odom).

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

D US-2004/0266509 A1, Bennett et al.

E US-2004/0053679 A1, Getz et al.

F US-2003/0216168 A1, Cannon et al.

G US-2005/0043079 A1, Huang

H US-2004/0178579 A1, Lowell et al.

I US-2003/0064772 A1, Tempest et al.

J US-6,755,738 B2, Glasson et al.

K US-2003/0224847 A1, Jaimet

L US-2005/0049038 A1, Cuddy et al.

M US-5,909,875, Weingardt.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Arthur O. Hall whose telephone number is (571) 270-1814. The examiner can normally be reached on Mon - Fri, 8:00am - 5:00 pm, Alt Fri, EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

AH
1/3/2007


Robert E. Pezzuto
Supervisory Patent Examiner